

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

Plaintiffs Lizabeth Aguilar Adame, Diana Suarez Rodriguez, Ezequiel Suarez Rodriguez, Juan Jiminez Diaz, Maria Jiminez Diaz, Luis Mario Munoz, and Martin Zenedjas (Hereinafter, “minors”) are all minors whose negligence claims involve a train and a van accident resulting in the wrongful death of family members. All of the Plaintiffs alleged that National Railroad Passenger Corporation (“Amtrak”); Walter Ward; W.M. Dike; and Burlington Northern Santa Fe Corporation (“Defendants”) negligently and recklessly operated, controlled, and maintained the subject train and failed to follow statutory regulations and internal policies and procedures. On February 19, 2009, Defendants notified the court that the matter settled as to all parties. Doc. 221. The total global settlement is \$2.5 million. Doc. 253.

Subsequently, the minors filed petitions for minor's compromises so that the court could approve their portions of the settlement amount. On April 17, 2009, Magistrate Judge Gary Austin issued Findings and Recommendations that the petitions should be granted. Docs. 259-265. The Findings and Recommendations were served on all parties and contained notice that any objections were to be filed no later than May 7, 2009. No party has filed objections.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(c), this Court has conducted a *de novo* review of the case. Having carefully reviewed the record, the Court finds that the Findings and Recommendations for the above minors are supported by the record and proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations dated April 17, 2009 are ADOPTED IN FULL;
2. The Petitions for Approval of the Minors' Compromises for Plaintiffs Lizabeth Aguilar Adame, Diana Suarez Rodriguez, Ezequiel Suarez Rodriguez, Juan Jiminez Diaz, Maria Jiminez Diaz, Luis Mario Munoz, and Martin Zenedjas are GRANTED; and
3. The settlement proceeds for each minor shall be distributed in accordance with the provisions set forth in the Findings and Recommendations.

IT IS SO ORDERED.

Dated: May 8, 2009

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE